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June 22, 2023

The request is GRANTED. The Court will hold a video conference at 3:30PM on June 28, 2023. The public listen-only line may be accessed by dialing Toll-Free Number: 877-336-1831 | Access Code: 5583342. The parties shall submit contact information as described in this Court's Individual Rules.

VIA CM/ECF

Honorable Jennifer L. Rochon
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

SO ORDERED.

Jennifer Rochon

Dated: June 23, 2023
New York, New York

JENNIFER L. ROCHON
United States District Judge

Re: ***Trireme Energy Holdings, Inc. et al. v. Innogy Renewables US LLC et al.***, No. 1:20-cv-05015-JLR-BCM [rel. 1:22-cv-07439-JLR]

Dear Judge Rochon:

On behalf of the Defendants in the above-captioned matter, we write to advise the Court that the parties have reached an agreement-in-principle which eliminates the need for summary judgment briefing and clears the way for this case to proceed directly to a bench trial.

Specifically, Plaintiffs will withdraw their claim for breach of the commercially reasonable efforts clause of Section 7.6(a) of the Merger Agreement (Count IV of the Second Amended Complaint), and Defendants will forgo a summary judgment motion and proceed directly to trial on the remaining claims. The parties will submit a formal stipulation to this effect in short order.

In light of the above, we respectfully request that the Court schedule a videoconference to discuss a trial date and pre-trial procedures (*see* ECF No. 198). We have conferred with counsel for the Plaintiffs and can advise that the parties are available on the mornings of Wednesday, June 28 and Thursday, June 29.

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI
Professional Corporation

s/ *Eli B. Richlin*
Eli B. Richlin

Attorneys for Defendants

cc: All Counsel of Record (via CM/ECF)